

AUS920010752US1

21

**E. REMARKS****1. Double Patenting**

Applicant submits terminal disclaimer's for Applications 10/001,743 and 10/001,750 to overcome the examiner's double patenting rejection.

**2. Allowable Subject Matter**

The Examiner objected to claims 10-11 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**3. Claim Rejections – 35 USC § 112**

The examiner rejected claims 20 and 21 because the phrase "the voice amplitude acquisition program" in claim 20 lacks antecedent basis, and because the phrase "the voice amplitude display program" in claim 21 lacks antecedent basis. Claims 20 and 21 have been cancelled and the limitations incorporated into claim 19.

**2. Claim Rejections – 35 USC § 102**

**a. The Examiner:** The Examiner rejected claims 1-9 and 12-21 under 35 USC §102(b) as being anticipated by US Patent 5,710,591 to Bruno (hereinafter "Bruno"). The Examiner cited col. 5, lines 50-64, col. 6, line 54 to col. 7, line 4 and col. 7, lines 42-46.

**b. Response:** Applicant has amended claim 1 to incorporate the limitation of claim 10. In addition, Applicant has amended claim 13 and claim 19 to incorporate the allowable subject matter cited by the examiner. Applicant submits that the claims are now in condition for allowance.

AUS920010752US1

22

**F. ATTACHMENTS**

The attachments to this response are as follows:

Replacement Sheet 3/15 FIG. 4

Replacement Sheet 4/15 FIG. 5

Replacement Sheet 15/15 FIG. 15

AUS920010752US1

23

Respectfully submitted,

Rudolf O. Siegesmund

Rudolf O. Siegesmund

Registration No. 37,720

Suite 2000

4627 N. Central Expressway

Dallas, Texas 75205-4017

214-528-2407

FAX 214-528-2434

Attorney for Applicant

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9306).

On 8/6/2004  
Date

Rudolf O. Siegesmund  
Rudolf O. Siegesmund